

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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RUFINO CARDONA and NILDA CARDONA,

Plaintiffs,

MEMORANDUM AND ORDER

-against-

09-CV-3148 (CBA)

COMMUNITY ACCESS, INC. and
910 DEKALB AVENUE, LP,

Defendants.

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After the parties to this action agreed to the Court's settlement proposal, Judge Amon entered an order dismissing the case, which was closed on October 30, 2010. The Court is now in receipt of a letter to the Court dated March 27, 2010, from *pro se* plaintiffs Nilda and Rufino Cardona, complaining that Nilda Cardona has been waiting for five months for a special bed, which they state that defendant Community Access was supposed to provide. See Plaintiffs' 3/17/10 Letter at 1, ECF Docket Entry #28. According to plaintiffs, at the time the case was settling this magistrate judge advised them "to contact [the Court] if [they] had any further trouble with Community Access." Id.

As confirmed by the recording of a telephone conference with plaintiffs and defense counsel on October 9, 2010, plaintiffs' recollection of the Court's comments is mistaken. In fact, during that conference, defense counsel inquired whether, if future disputes arose between the parties, they should return to this judge to resolve their problems. The Court responded that "this is not a case in which the Court should retain continuing jurisdiction Once [plaintiffs] are relocated and after all the papers have been signed and the releases have been signed, this case is closed."

As there is no case pending before the Court, this is not the proper forum for resolving plaintiffs' problem.

SO ORDERED.

**Dated: Brooklyn, New York
March 22, 2010**

**ROANNE L. MANN
UNITED STATES MAGISTRATE JUDGE**